

ILLINOIS REGISTER

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ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Claiming Races
- 2) Code Citation: 11 Ill. Adm. Code 510
- 3) Section Number: 510.260                      Adopted Action:  
New Section
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rulemaking: July 23, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 36 Ill. Reg. 5950 – April 20, 2012.
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? No
- 15) Summary and purpose of rulemaking: This proposed rulemaking protects the owner for the time and money invested in bringing a horse back from a long layoff. The horse owner knows he can keep the horse for at least a second start before the possibility of the horse being claimed. An extended layoff for a lame, injured or fatigued horse gives it ample time to recover rather than an unscrupulous owner/trainer racing the horse back quickly at a reduced claiming price in hopes of passing his problems along to the next unsuspecting claimant.

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- 16) Information and questions regarding this adopted amendment shall be directed to:

Mickey Ezzo  
Illinois Racing Board  
100 West Randolph, Suite 7-701  
Chicago, Illinois 60601

(312) 814-5017

The full text of the Adopted Amendment begins on the next page:

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TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 510

CLAIMING RACES

Section	
510.10	Definition
510.20	Claiming Eligibility
510.30	Form and Deposit of Claim
510.40	Errors which Invalidate Claim
510.50	Refund of Voided Claim
510.60	Prohibited Action with Respect to Claim
510.70	Horses under Lien
510.80	Affidavit May be Required
510.90	Claimant's Responsibility
510.100	Claimed Horse's Certificate
510.110	Engagements of a Claimed Horse
510.120	Protests of a Claim
510.130	Title to a Claimed Horse
510.140	Distribution of the Purse
510.150	Delivery of a Claimed Horse
510.160	Trainer Responsibility for Post-Race Tests
510.170	Excusing Claimed Horse
510.180	Stable Eliminated by Fire or Other Hazard
510.190	Entering Claimed Horse (Repealed)
510.195	Determining Eligibility Dates
510.200	Claimed Horse Racing Elsewhere
510.210	Sale of a Claimed Horse
510.220	Illinois Rules Govern Claimed Horse
510.230	Extension of Regular Meeting (Repealed)
510.240	Claiming Authorization
510.250	Claiming Price
<u>510.260</u>	<u>Option to Declare Horse Ineligible to be Claimed</u>

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

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SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990; amended at 17 Ill. Reg. 12423, effective July 15, 1993; amended at 17 Ill. Reg. 13612, effective July 30, 1993; amended at 18 Ill. Reg. 2064, effective January 21, 1994; amended at 18 Ill. Reg. 11607, effective July 7, 1994; amended at 19 Ill. Reg. 13887, effective October 1, 1995; amended at 20 Ill. Reg. 12473, effective September 1, 1996; amended at 21 Ill. Reg. 951, effective January 7, 1997; amended at 24 Ill. Reg. 7386, effective May 1, 2000; amended at 24 Ill. Reg. 12722, effective August 1, 2000; amended at 24 Ill. Reg. 17480, effective November 8, 2000; amended at 25 Ill. Reg. 6393, effective May 1, 2001; amended at 25 Ill. Reg. 8814, effective July 1, 2001; amended at 27 Ill. Reg. 533, effective January 1, 2003; amended at 31 Ill. Reg. 15094, effective November 1, 2007; amended at 32 Ill. Reg. 10161, effective July 1, 2008; amended at 33 Ill. Reg. 11318, effective July 21, 2009; amended at 36 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### **Section 510.260 Option to Declare Horse Ineligible to be Claimed**

At the time of entry into a claiming race, the owner, or the trainer acting under authorization from the owner, may opt to declare a horse ineligible to be claimed provided that:

- a) the horse has not been an official starter in a race at any racetrack for a minimum of 120 days since its last race as an official starter;
- b) the horse's last race as an official starter was a claiming race in which the horse was eligible to be claimed;
- c) the horse is entered for a claiming price equal to or greater than the claiming price at which it last started as an official starter;
- d) failure to declare the horse ineligible at the time of entry may not be remedied;  
and
- e) ineligibility to be claimed shall only apply to the first start as an official starter following each 120-day or longer layoff.

(Source: Added at 36 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)